

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

**In re:**

**SILVERGATE CAPITAL CORPORATION,  
*et al.*<sup>1</sup>**

**Debtors.**

**Chapter 11**

**Case No. 24-12158 (KBO)**

**(Jointly Administered)**

**Obj. Deadline: December 1, 2025 at 4:00 p.m.  
(ET)**

**SUMMARY OF ELEVENTH MONTHLY FEE APPLICATION  
OF SHEPPARD, MULLIN, RICHTER & HAMPTON LLP  
FOR ALLOWANCE OF COMPENSATION FOR SERVICES  
RENDERED AND FOR REIMBURSEMENT OF EXPENSES AS 327(e)  
SPECIAL COUNSEL TO THE DEBTORS AND DEBTORS-IN-POSSESSION  
FOR THE PERIOD FROM SEPTEMBER 1, 2025 THROUGH SEPTEMBER 30, 2025**

|  |   |
|--|---|
| Name of Applicant:   | Sheppard, Mullin, Richter & Hampton LLP                       |
| Authorized to Provided Professional Services to:                             | The above-captioned Debtors and Debtors-in-Possession         |
| Date of Retention:   | December 20, 2024, <i>nunc pro tunc</i> to September 17, 2024 |
| Period for which compensation and reimbursement are sought:                  | September 1, 2025 – September 30, 2025                        |
| Amount of Compensation sought as actual, reasonable, and necessary:          | <b>\$14,270.00 (80% of \$17,837.50)</b>                       |
| Amount of Expense Reimbursement sought as actual, reasonable, and necessary  | \$0   |
| This is a(n): <u>  X  </u> Monthly <u>      </u> Interim <u>      </u> Final |   |

<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, as applicable, are as follows: Silvergate Capital Corporation (7337), Silvergate Liquidation Corporation (4449) and Spring Valley Lots, LLC (0474). The Debtors' mailing address is 4225 Executive Square, Suite 600, La Jolla, CA 92037.

**Prior applications:**

| <b>Date Filed /<br/>Docket No.</b> | <b>Period Covered</b>     | <b>Fees</b>  | <b>Expenses</b> |
|------------------------------------|---------------------------|--------------|-----------------|
| January 14, 2025<br>Docket No. 455 | 9/17/2024 –<br>11/30/2024 | \$320,522.00 | \$1,672.01      |
| March 5, 2025<br>Docket No. 574    | 12/1/2024 –<br>12/31/2024 | \$92,031.00  | \$93.50         |
| March 20, 2025<br>Docket No. 595   | 1/1/2025 –<br>1/31/2025   | \$208,560.50 | \$3,070.42      |
| April 7, 2025<br>Docket 636        | 2/1/2025 –<br>2/28/2025   | \$157,508.25 | \$4,141.52      |
| April 14, 2025<br>Docket 651       | 12/1/2024 –<br>2/28/2025  | \$458,099.75 | \$7,305.44      |
| May 15, 2025<br>Docket 739         | 3/1/2025 –<br>3/31/2025   | \$79,948.50  | \$0             |
| June 9, 2025<br>Docket 790         | 4/1/2025 –<br>4/30/2025   | \$71,946.00  | \$0             |
| July 3, 2025<br>Docket 829         | 5/1/2025 –<br>5/31/2025   | \$121,708.00 | \$2,572.15      |
| July 15, 2025<br>Docket 862        | 3/1/2025 –<br>5/31/2025   | \$273,602.50 | \$2,572.15      |
| July 25, 2025<br>Docket 894        | 6/1/2025 –<br>6/30/2025   | \$33,580.00  | \$0             |
| September 12, 2025<br>Docket 981   | 7/1/2025 –<br>7/31/2025   | \$48,739.00  | \$45.31         |
| October 9, 2025<br>Docket 1013     | 8/1/2025 –<br>8/31/2025   | \$19,221.50  | \$0             |

**COMPENSATION BY INDIVIDUAL**

| <b>Name of<br/>Professional<br/>Person</b> | <b>Position</b>    | <b>Practice<br/>Group</b> | <b>Date of Admission</b>                                  | <b>Hourly<br/>Billing<br/>Rate</b> | <b>Total<br/>Hours<br/>Billed</b> | <b>Total<br/>Compensation<br/>(\$)</b> |
|--|--------------------|---------------------------|---|------------------------------------|-----------------------------------|--|
| <b>Polly Towill</b>                        | Partner            | Business Trial            | State Bar of CA – 12/10/1985                              | \$1,215.00                         | 2.3                               | \$2,794.50                             |
| <b>John Stigi</b>                          | Partner            | Business Trial            | State Bar of CA – 9/28/2000<br>State Bar of NY – 6/1/1988 | \$1,680.00                         | 5.1                               | \$8,568.00                             |
| <b>Michael<br/>Driscoll</b>                | Partner            | Finance &<br>Bankruptcy   | State Bar of IL – 5/6/2010<br>State Bar of NY – 5/12/2014 | \$1,225.00                         | .6                                | \$735.50                               |
| <b>Catherine<br/>Jun</b>                   | Special<br>Counsel | Finance &<br>Bankruptcy   | State Bar of IL – 5/1/2014                                | \$1,025.00                         | 5.6                               | \$5,740.00                             |
| <b>Total:</b>                              |                    |                           |   |                                    |                                   | <b>\$17,837.50</b>                     |
| <b>Blended Rate:</b>                       |                    |                           |   |                                    |                                   | <b>\$1,311.58</b>                      |

**EXPENSE SUMMARY**

| <b>Expenses Category</b> | <b>Total Expenses (\$)</b> |
|--------------------------|----------------------------|
| N/A                      | \$0                        |

**COMPENSATION BY PROJECT CATEGORY**

| <b>Project Category</b>                  | <b>Total Hours</b> | <b>Total Fees (\$)</b> |
|--|--------------------|------------------------|
| Other Contested Matters                  | 8.0                | \$12,037.50            |
| Fee/Employment Applications & Statements | 5.6                | \$5,800.00             |
| <b>TOTAL:</b>                            | <b>13.6</b>        | <b>\$17,837.50</b>     |

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**Debtors.**

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RENDERED AND FOR REIMBURSEMENT OF EXPENSES AS 327(e)  
SPECIAL COUNSEL TO THE DEBTORS AND DEBTORS-IN-POSSESSION  
FOR THE PERIOD FROM SEPTEMBER 1, 2025 THROUGH SEPTEMBER 30, 2025**

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Pursuant to sections 330 and 331 of title 11 of the United States Code, §§ 101-1532 (the “Bankruptcy Code”), rule 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), rule 2016-2 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), and the *Order Establishing Procedures for Interim Compensation and Reimbursement of Professionals*, dated October 10, 2024 [Docket No. 137] (the “Interim Compensation Order”), Sheppard, Mullin, Richter & Hampton LLP (“Sheppard Mullin”) hereby files this *Eleventh Monthly Application of Sheppard, Mullin, Richter & Hampton LLP for Allowance of Compensation for Services Rendered and for Reimbursement of Expenses as 327(e) Special Counsel to the Debtors and Debtors-in-*

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, as applicable, are as follows: Silvergate Capital Corporation (7337), Silvergate Liquidation Corporation (4449) and Spring Valley Lots, LLC (0474). The Debtors’ mailing address is 4225 Executive Square, Suite 600, La Jolla, CA 92037.

*Possession for the Period from September 1, 2025 through September 30, 2025* (the “Application”). By the Application, Sheppard Mullin seeks a monthly allowance pursuant to the Interim Compensation Order with respect to \$17,837.50 as compensation for necessary professional services rendered (80% of which equals \$14,270.00) for the period September 1, 2025 through and including September 30, 2025 (the “Compensation Period”), and that \$14,270.00 be authorized for payment.<sup>2</sup> In support of this Application, Sheppard Mullin respectfully represents as follows:

### **BACKGROUND**

1. On September 17, 2024 (the “Petition Date”), the Debtors filed with this Court voluntary petitions for relief under Chapter 11 of the Bankruptcy Code (collectively, the “Chapter 11 Cases”).

2. The Debtors continue to operate their businesses and manage their properties as debtors in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code. No request for the appointment of a trustee has been made in these Chapter 11 Cases, and no committees have been appointed or designated. On January 10, 2025, the U.S. Trustee appointed Stephanie Wickouski to serve as examiner. On January 31, 2025, the Court entered an order approving the appointment.

3. Additional information regarding the Debtors and these chapter 11 cases, including the Debtors’ businesses, operations, capital structure, financial condition and the reasons for and objectives of these chapter 11 cases is set forth in the *Declaration of Elaine Hetrick in Support of*

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<sup>2</sup> No expenses were incurred during the Compensation Period.

*the Debtors' Chapter 11 Petitions and Certain Motions* [Docket No. 9], which is incorporated herein by reference.

4. On October 10, 2024, the Court entered the Interim Compensation Order.

5. Sheppard Mullin was retained effective as of the Petition Date pursuant to the Court's Order (I) *Authorizing the Employment and Retention of Sheppard, Mullin, Richter & Hampton LLP as 327(e) Special Counsel to the Debtors Effective as of the Petition Date and (II) Granting Related Relief*, dated January 20, 2025 [Docket No. 401] (the "Retention Order"). The Retention Order authorized Sheppard Mullin to be compensated on an hourly basis and to be reimbursed for actual and necessary out-of-pocket expenses.

**SUMMARY OF PROFESSIONAL COMPENSATION REQUESTED**

6. By this Application, Sheppard Mullin seeks monthly allowance of \$17,837.50 as compensation for professional services rendered to the Debtors during the Compensation Period. All services for which compensation is requested by Sheppard Mullin were performed for or on behalf of the Debtors. No expenses were incurred during the Compensation Period.

7. During the Compensation Period, Sheppard Mullin received no payment and no promises of payment from any source for services rendered or to be rendered in any capacity whatsoever in connection with the matters covered by this Application. There is no agreement or understanding between Sheppard Mullin and any other person, other than the members of Sheppard Mullin, for the sharing of compensation to be received for services rendered by Sheppard Mullin to the Debtors.

8. As special litigation counsel to the Debtors, Sheppard Mullin has not provided routine chapter 11 services to the Debtors. Sheppard Mullin has been tasked with providing complex litigation and strategic counseling, including advising the estates on significant

prepetition class action, derivative, and fiduciary duty litigations (the “Litigations”). Sheppard Mullin has been required to utilize some of its most experienced attorneys and other professionals to provide the highest quality representation to the Debtors. Sheppard Mullin has and will continue to minimize duplication with the Debtors’ other counsel.

9. Sheppard Mullin maintains computerized records of the time spent by all Sheppard Mullin attorneys and paraprofessionals and other non-legal staff in connection with Sheppard Mullin’s representation of the Debtors. Attached hereto as **Exhibit A** is a copy of Sheppard Mullin’s invoices for the Compensation Period, which provides detailed descriptions of the services performed and the expenses incurred by Sheppard Mullin during the Compensation Period.

10. To the best of Sheppard Mullin’s knowledge, this Application complies with sections 330 and 331 of the Bankruptcy Code, the applicable Bankruptcy Rules, the Guidelines adopted by the Office of the United States Trustee, Local Rule 2016-2, and the Interim Compensation Order.

#### **SUMMARY OF SERVICES BY PROJECT CATEGORY**

11. The services rendered by Sheppard Mullin during the Compensation Period have been principally focused on resolution of the Aiding and Abetting Class Action and the Securities Class Action. These categories are generally described below, with a more detailed identification of the actual services provided set forth on the attached **Exhibit A**.

12. Attorneys of Sheppard Mullin have expended a total of 16.30 hours in connection with these matters during the Compensation Period. These are Sheppard Mullin’s normal hourly rates for work of this character. The reasonable value of the services rendered by Sheppard Mullin to the Debtors during the Compensation Period is \$17,837.50. The attorneys who rendered

services relating to each category are identified, along with the number of hours for each individual and the total compensation sought for each category, in Exhibit A attached hereto. The billing detail for professional fees in the below categories are provided in Exhibit A.

(a) Aiding and Abetting Class Action (Task Code 190)

**Total Hours: 0.7; Total Fees: \$990.00**

This category includes all matters related to advice and representation of the Debtors as defendants in various putative class action lawsuits alleging, among other things, that defendants knew of and aided and abetted FTX's fraud and breach of fiduciary duties, which were ultimately consolidated into one putative class action lawsuit pending in the United States District Court for the Southern District of California.

(b) Securities Class Action (Task Code 190)

**Total Hours: 7.3; Total Fees: \$11,047.50**

This category includes all matters related to the advice and representation of the Debtors and Debtors-in-Possession as defendants in various putative securities class action lawsuits alleging, among other things, that defendants made false or misleading statements regarding Silvergate Bank's commitment to regulatory compliance, initial due diligence and onboarding and ongoing account monitoring, which cases were ultimately consolidated into one putative securities class action lawsuit pending in the United States District Court for the Southern District of California.



(c) Retention and Fee Applications (Task Code 160)

**Total Hours: 5.6; Total Fees: \$5,800.00**

During the Compensation Period, Sheppard Mullin reviewed monthly invoices for compliance with the U.S. Trustee guidelines in preparation for drafting its monthly fee applications and interim fee application.

*[Remainder of Page Intentionally Left Blank]*

**CONCLUSION**

WHEREFORE, Sheppard Mullin respectfully requests that the Court authorize that for the Compensation Period, an allowance be made to Sheppard Mullin pursuant to the terms of the Interim Compensation Order with respect to \$17,837.50 as compensation for necessary professional services rendered (80% of which equals \$14,270.00) for the Compensation Period, and that \$14,270.00 be authorized for payment and for such other relief as this Court may deem just and proper.

Dated: November 11, 2025  
Los Angeles, California

Sheppard, Mullin, Richter & Hampton LLP

By: /s/ Polly Towill  
Polly Towill  
Partner

**IN THE UNITED STATES BANKRUPTCY COURT  
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Debtors.

Chapter 11

Case No. 24-12158 (KBO)

(Jointly Administered)

## CERTIFICATION OF POLLY TOWILL

I, Polly Towill, hereby declare the following under penalty of perjury:

1. I am an attorney admitted to practice in the State of California and a Partner of Sheppard, Mullin, Richter & Hampton LLP (“Sheppard Mullin”), special counsel to the above-captioned debtors and debtors in possession (collectively, the “Debtors”). I am based in Sheppard Mullin’s Los Angeles office located at 333 South Hope Street, 43rd Floor, Los Angeles, CA 90071.

2. I have personally performed many of the legal services rendered by Sheppard Mullin as special counsel to the Debtors and am thoroughly familiar with the other work performed on behalf of the Debtors by Sheppard Mullin attorneys.

3. I have reviewed the foregoing *Eleventh Monthly Application of Sheppard, Mullin, Richter & Hampton LLP for Allowance of Compensation for Services Rendered and for Reimbursement of Expenses as 327(e) Special Counsel to the Debtors and Debtors-in-Possession for the Period from September 1, 2025 through September 30, 2025* (the “Application”).

<sup>3</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, as applicable, are as follow: Silvergate Capital Corporation (7337), Silvergate Liquidation Corporation (4449) and Spring Valley Lots, LLC (0474). The Debtors' mailing address is 4225 Executive Square, Suite 600, La Jolla, CA 92037.

4. The facts set forth in the Application are true and correct to the best of my knowledge, information, and belief.

5. I have reviewed Rule 2016-2 of the Local Rules of Bankruptcy Practice and Procedures of the United States Bankruptcy Court for the District of Delaware and believe that the Application complies with Rule 2016-2.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 11, 2025  
Los Angeles, California

Sheppard, Mullin, Richter & Hampton LLP

By: /s/ Polly Towill  
Polly Towill  
Partner